

REGULAR CITY COUNCIL MEETING
FEBRUARY 28, 1994

PRESENT

Don Dafoe	Mayor
Gayle Bunker	Council Member
Alan Burraston	Council Member
Robert Dekker	Council Member
Robert Droubay	Council Member

ABSENT

Rex Harris	Council Member
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OTHERS PRESENT

Dorothy Jeffery	City Recorder
Richard Waddingham	City Attorney
Neil Forster	Public Works Director
Paul Fowles	Hinckley Lions Club
Clark Hardy	Hinckley Lions Club
Ronald Westlund	Oak City
Steve Lester	Sugarloafer's Flying Club
Alan Williams	Sugarloafer's Flying Club
Mike Bettis	City Resident
Gregory Schafer	City Employee
Carl Anderson	Sugarloafer's Motorcycle Club
Brad Christensen	Sugarloafer's Motorcycle Club
Kenneth Thatcher	

Mayor Dafoe called the meeting to order at 7:00 p.m. Dorothy Jeffery, City Recorder, acted as secretary. Mayor Dafoe stated that notice of the meeting time, place and agenda was posted at the principal office of the governing body located at 76 North 200 West and was provided to the Millard County Chronicle/Progress, KNAK Radio Station, and to each member of the City Council by personal delivery two days prior to the meeting.

Council Member Robert Dekker offered an invocation, after which Mayor Dafoe led the Council in the Pledge of Allegiance.

MINUTES

The proposed minutes of a Regular City Council Meeting held January 24, 1994, were presented for consideration and approval. The Council reviewed the minutes briefly, after which Council Member Robert Dekker MOVED that the minutes be approved as corrected. The motion was SECONDED by Council Member Robert Droubay. Mayor Dafoe

asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

The proposed minutes of a Special City Council Meeting held January 26, 1994, were presented for consideration and approval. The Council reviewed the minutes briefly, after which Council Member Robert Droubay MOVED that the minutes be approved as presented. The motion was SECONDED by Council Member Gayle Bunker. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

The proposed minutes of a Public Hearing held February 14, 1994, were presented for consideration and approval. The Council reviewed the minutes briefly, after which Council Member Gayle Bunker MOVED that the minutes be approved as presented. The motion was SECONDED by Council Member Robert Droubay. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

ACCOUNTS PAYABLE

The Council reviewed the accounts payable, a list of which had been given to them two days prior to the meeting. Following a brief discussion of the accounts payable, Council Member Gayle Bunker MOVED that the accounts payable be approved for payment as listed in the amount of \$17,600.60. The motion was SECONDED by Council Member Alan Burraston. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

UNFINISHED BUSINESS

MAYOR DON DAFOE: DISPOSITION OF BLACK ROCK PROPERTY

Mayor Dafoe said that he reviewed a file that states that Delta City owns 240 acres in Black Rock, located southwest of the Crystal Peak Road. Mayor Dafoe said that recently an individual inquired about purchasing some of the property, and he asked the City Council how they felt about selling the property.

It was the consensus of the City Council that the property should be kept until a reasonable offer is received.

MAYOR DON DAFOE: APPOINTMENT OF BOARD OF ADJUSTMENT MEMBERS

This item was tabled.

STEVE LESTER: FLYING CLUB REQUESTS USE OF BUILDING AT AIRPORT (FAA BUILDING)

Mayor Dafoe welcomed members of the Sugarloafer's Flying Club and asked them to address the City Council.

Alan Williams addressed the City Council and explained that a request was made in a previous meeting to allow a local flying club to use the former FAA building that is located at the Delta Municipal Airport as a meeting place and as a place to keep their equipment and supplies. Mr. Williams suggested that the building be available not only for the club's use but for other pilots use as well.

Discussion was then held regarding the use of the building for a pilot's lounge, which would be open and available at all times. Mr. Williams assured the City Council that the building would not be used in any way for any member's personal gain.

Council Member Robert Droubay MOVED to authorize the Sugarloafer's Flying Club to clean up the building and prepare to use it for a six month trial period. In lieu of rent, the Club will repair and upkeep the building. Also, there is to be no personal gain for any member involved.

The City Council discussed the need to contact Delta City's insurance carrier to determine the liability issue surrounding the City's lease of said building to the Flying Club. The Council also felt it would be necessary to contact the FAA to determine whether leasing said property in the manner proposed would violate FAA grant assurances.

Council Member Robert Droubay then amended his motion subject to Delta City receiving an affirmative response from Delta City's liability carrier and the FAA. The motion was SECONDED by Council Member Gayle Bunker. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none he called for a vote. The motion passed unanimously.

STEVE LESTER: PLACEMENT OF PRIVATE 500 GALLON FUEL TANK AT DELTA MUNICIPAL AIRPORT

Mayor Dafoe asked Alan Williams to discuss the placement of a 500 gallon fuel tank at the Delta Municipal Airport.

Alan Williams requested the City Council's approval to place a 500 gallon unleaded fuel tank next to the FAA building for the flying club's use.

Mayor Dafoe said that Delta City's insurance carrier has been contacted regarding this issue and the City has been advised to prohibit the placement of a fuel tank for private use at the airport.

Discussion was then held regarding the dispensing of fuel from the back of pickup trucks. Mayor Dafoe said that he would contact the insurance company regarding this issue.

Following further discussion, Council Member Robert Dekker MOVED to prohibit the placement of a private 500 gallon fuel tank at the Delta Municipal Airport. The motion was SECONDED by Council Member Robert Droubay. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed. Council Member Alan Burraston did not vote declaring a conflict of interest.

NEW BUSINESS

PAUL FOWLES, HINCKLEY LIONS CLUB: REQUEST TO HOLD DEMOLITION DERBY ON SATURDAY, JULY 2, 1994

Mayor Dafoe asked Paul Fowles, Hinckley Lions Club, to address the City Council.

Paul Fowles, Hinckley Lions Club, addressed the City Council and explained that they are preparing for the Demolition Derby and asked for permission to hold it in conjunction with Delta City's Fourth of July Celebration.

Approval was given to hold the Demolition Derby in conjunction with Delta City's Fourth of July Celebration. A request was then made that the Hinckley Lions Club donate \$1,000 toward the purchase of additional fireworks. Mr. Fowles said that the donation will be discussed at their next Lions Club meeting, and he will let Mayor Dafoe know of their decision.

CARL ANDERSON, SUGARLOAFERS MOTORCYCLE CLUB: CHANGE IN PROPOSED RACE COURSE FOR ANNUAL RACE

Mayor Dafoe asked Carl Anderson, Sugarloafers Motorcycle Club, to address the City Council.

Carl Anderson, Sugarloafer's Motorcycle Club, said that at a prior meeting the City Council's approval was given to their proposed race course for the Delta City Grand Prix. Mr. Anderson said that there has been a change in the race course due to construction that will be going on in the area of the proposed course. Mr. Anderson then presented a new race course. He assured the City Council that Delta City was listed on their insurance policy as an additional insured.

Following discussion, Council Member Gayle Bunker MOVED to approve the race course for the Delta City Grand Prix to be held April 23, 1994. The motion was SECONDED by Council Member Robert Droubay. Mayor Dafoe asked if there were any comments or questions regarding

the motion. There being none, he called for a vote. The motion passed unanimously.

RONALD WESTLUND: GROUND LEASE/DELTA CITY HANGAR SPACE AT DELTA MUNICIPAL AIRPORT

Mayor Dafoe asked Ronald Westlund to address the City Council regarding a Ground Lease Agreement at the Delta Municipal Airport.

Ronald Westlund reviewed in detail a Ground Lease Agreement for Delta City Hangar Space at the Delta Municipal Airport. The Ground Lease Agreement is an agreement that Delta City has on file for hangar space lease; however, Mr. Westlund had made several changes to that agreement.

Following lengthy discussion, Council Member Robert Dekker MOVED to have Attorney Waddingham prepare a final draft of a Ground Lease Agreement for Ronald Westlund including the changes discussed, that is to be presented to the City Council for final approval. The motion was SECONDED by Council Member Gayle Bunker. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

COUNCIL MEMBER GAYLE BUNKER: RECOMMENDATION FROM PLANNING COMMISSION TO SCHEDULE A PUBLIC HEARING FOR THE PURPOSE OF RECEIVING PUBLIC COMMENT REGARDING A PROPOSED LANGUAGE CHANGE TO THE DELTA CITY SUBDIVISION ORDINANCE, SECTION 1.2.23.

Mayor Dafoe asked Council Member Gayle Bunker to address the City Council regarding the scheduling of a Public Hearing.

Council Member Gayle Bunker presented the following recommendation from the Planning Commission:

TO: Mayor Dafoe and City Council Members
FROM: Planning & Zoning Commission
DATE: January 27, 1994
RE: Zone Change Requests

By unanimous vote of the Planning Commission Members in a regular meeting held January 26, 1994, the Planning Commission recommends that a Public Hearing be scheduled to receive public comment regarding a proposed language change to the Delta City Subdivision Ordinance.

The proposed language change combines language from the Utah Code Annotated, Section 10-9-103 (q)(i) with the Delta City Subdivision Ordinance, Section 1.2.23. The proposed change is as follows:

"Subdivision" means any land that is divided, resubdivided or proposed to be divided into two or more lots, parcels, sites, units, plots, or other division of land for the purpose, whether immediate or future, for offer, sale, lease, or development either on the installment plan or upon any and all other plans, terms, and conditions. "Subdivision" does not include any division of land where every parcel or tract of land within the divided parcel exceeds five acres.

It is the recommendation of the Planning Commission that this language change be adopted and that the Delta City Subdivision Ordinance be amended.

Discussion was held regarding Short Plat requirements and research is to be done on this subject prior to the Public Hearing.

Council Member Gayle Bunker then MOVED to schedule a Public Hearing for the purpose of receiving public comment regarding a proposed language change to the Delta City Subdivision Ordinance, Section 1.2.23. for March 28, 1994, at 6:30 p.m. The motion was SECONDED by Council Member Robert Dekker. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

ATTORNEY RICHARD WADDINGHAM: PROPOSED ORDINANCE REGARDING A ZONE CHANGE ON PROPERTY LOCATED AT 100 SOUTH MANZANITA AVENUE FROM RESIDENTIAL DEVELOPMENT TO COMMERCIAL DEVELOPMENT, A ZONE CHANGE ON PROPERTY LOCATED AT 150 EAST MAIN FROM COMMERCIAL DEVELOPMENT TO CENTRAL BUSINESS, AND A ZONE CHANGE ON PROPERTY LOCATED AT 100 EAST 100 SOUTH FROM COMMERCIAL DEVELOPMENT TO R-4 (MULTIPLE-FAMILY COMMERCIAL)

Mayor Dafoe asked Attorney Richard Waddingham to present proposed ordinance regarding zone changes within Delta City.

Attorney Waddingham presented a proposed ordinance entitled:

ORDINANCE NO. 94-157

AN ORDINANCE OF THE CITY COUNCIL OF DELTA, UTAH AMENDING THE ZONE DISTRICT BOUNDARIES TO RECLASSIFY CERTAIN PROPERTY FROM RESIDENTIAL DEVELOPMENT (RD) TO COMMERCIAL DEVELOPMENT (CD).

Following brief discussion, Council Member Gayle Bunker MOVED to adopt Ordinance No. 94-157 as presented. The motion was SECONDED by Council Member Robert Droubay. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a roll call vote. The voting was as follows:

Council Member Gayle Bunker	Yes
Council Member Alan Burraston	Yes
Council Member Robert Dekker	Yes
Council Member Robert Droubay	Yes
Council Member Rex Harris	Absent

Mayor Dafoe then signed the ordinance. Mayor Dafoe's signature was attested to by City Recorder Dorothy Jeffery.

Attorney Waddingham then presented a proposed ordinance entitled:

ORDINANCE NO. 94-158

AN ORDINANCE OF THE CITY COUNCIL OF DELTA, UTAH AMENDING THE ZONE DISTRICT BOUNDARIES TO RECLASSIFY CERTAIN PROPERTY FROM COMMERCIAL DEVELOPMENT (CD) TO CENTRAL BUSINESS (CB) AND R-4 (MULTIPLE-FAMILY/COMMERCIAL).

Following brief discussion, Council Member Robert Dekker MOVED to adopt Ordinance No. 94-158 as presented. The motion was SECONDED by Council Member Robert Droubay. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a roll call vote. The voting was as follows:

Council Member Gayle Bunker	Yes
Council Member Alan Burraston	Yes
Council Member Robert Dekker	Yes
Council Member Robert Droubay	Yes
Council Member Rex Harris	Absent

Mayor Dafoe then signed the ordinance. Mayor Dafoe's signature was attested to by City Recorder Dorothy Jeffery.

MAYOR DON DAFOE: HIRING OF PUBLIC WORKS DEPARTMENT FULL-TIME EMPLOYEE

Mayor Dafoe explained that with the equipment now available and with the increased work load within the Public Works Department there is a need to hire a full-time employee.

Discussion was held after which Council Member Robert Dekker MOVED to create a full-time position within the Public Works Department. The motion was SECONDED by Council Member Robert Droubay. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

OTHER BUSINESS

Kenneth Thatcher was in attendance and said that his ground lease for hangar space at the Delta Municipal Airport has expired, and he

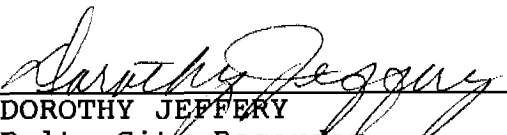
would like a five year extension. The City Council agreed to renew Mr. Thatcher's lease for a five year period at \$.08 per square foot.

Council Member Robert Droubay said that the Chamber of Commerce has scheduled a Spring Promotion for April 7 through May 7, and they would like to hold that in conjunction with Delta City's Spring Clean-Up. Further plans will be discussed later.

Discussion was held regarding a weed problem on property located east of the Great Basin Museum.

Mayor Dafoe asked if there were any comments, questions or items to be discussed. There being none, Council Member Gayle Bunker MOVED to adjourn. The motion was SECONDED by Council Member Robert Dekker. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously. Mayor Dafoe declared the meeting adjourned at 8:45 p.m.


DON DAFOE, Mayor


DOROTHY JEFFERY
Delta City Recorder

MINUTES APPROVED: RCCM 6-13-94